

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MICHAEL KEYES,

Plaintiff,

vs.

Case No. 08-3249-JTM

ELLEN BARTZ, et al.,

Defendants.

MEMORANDUM AND ORDER

Five motions are currently before the court in this Eighth Amendment pro se action by prison inmate Michael Keyes. In response to the defendants' Motion to Dismiss, Keyes has filed a motion for a sixty-day extension of the time to respond to the dismissal motion, relying principally on his current detention in administrative segregation. (Dkt. No. 22). He has also filed a motion for appointment of counsel (Dkt. No. 24), and a 'Motion to Enforce Order' (Dkt. No. 21), which seeks a directive requiring that the prison allow Keyes access to further legal help from other prisoners. Finally, as a part of his motion for extension, he has also requested leave to file an Amended Complaint. And Keyes has moved to add as co-plaintiff another inmate, Michael Wesetendorff.

The court will grant Keyes' motion for extension such that his response to the Motion to Dismiss may be filed no later than June 30, 2009. No further extensions of time will be granted. The plaintiff's motions are otherwise denied.

Keyes' Motion to Amend is denied in light of the progress of the present action including the pending Motion to Dismiss, and the failure of the plaintiff to show specifically how the proposed amendment would affect the litigation. The request to add Westendorff is denied. The court has reviewed in detail all of the pleadings and finds that Keyes's allegations all relate to highly specific instances of (allegedly) improper medical care, and finds no reason to conclude that any claims by Westendorff should not be advanced by separate litigation. The court will not appoint counsel or otherwise direct prison officials as to the proper amount of access to be allowed a prisoner in administrative segregation. While Keyes represents himself *pro se*, he does so capably and at length, if not always successfully. The court has reviewed the matters set forth in the defendant's Motion to Dismiss, and finds that these issues can and should receive response from the plaintiff in the allotted time.

IT IS ACCORDINGLY ORDERED this 18th day of May, 2009 that the plaintiff's Motion to Extend (Dkt. No. 22) is granted as provided herein; plaintiff's Motions (Dkt. No's 21, 22, 23, 24) are otherwise denied.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE